

DJF:CBS:nl

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 1:18-CR-150
: :
v. : :
: : (RAMBO , J.)
JOSEPH R. GALLARDO, : :
: :
Defendant. : (ELECTRONICALLY FILED)

INDICTMENT

COUNT 1

FILED
HARRISBURG, PA

MAY 2 2018

PER VJ
DEPUTY CLERK

BANK FRAUD
(Title 18, United States Code, Section 1344)

THE GRAND JURY CHARGES:

1. From on or about June 7, 2011, to on or about August 9, 2011, in the Middle District of Pennsylvania and elsewhere, the defendant,

JOSEPH R. GALLARDO,

knowingly executed and attempted to execute a scheme and artifice to defraud Quicken Loans®, a mortgage lending business which financed and refinanced debt secured by an interest in real estate, and to obtain monies, funds, assets, and property owned by and under the care,

custody, and control of, Quicken Loans® by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

2. On or about June 7, 2011, defendant submitted and caused to be submitted a Uniform Residential Loan Application via telephone to Quicken Loans® in the name of L.F.

3. According to the Uniform Residential Loan Application, the purported purpose of the loan was to refinance L.F.'s primary residence located in Dover, New Jersey.

4. The Uniform Residential Loan Application requested \$260,000 in loan proceeds.

5. In addition, in support of the Uniform Residential Loan Application, defendant submitted to Quicken Loans® a false federal income tax return purportedly showing dividend, interest or miscellaneous income L.F. had not reported on the personal income tax return L.F. actually filed with the IRS.

6. Defendant also sent via facsimile a letter to Quicken Loans® falsely stating that since 2007, L.F. had been receiving \$4,400 a month.

7. The Uniform Residential Loan Application contained misstatements and misrepresentations as to L.F.'s financial resources and qualifications, namely, that L.F. received dividends/interest in the amount of \$7,200 per month.

In violation of Title 18, United States Code, Sections 1344(1), 1344(2), 20(10), and 27.

COUNT 2

BANK FRAUD
(Title 18, United States Code, Section 1344)

THE GRAND JURY FURTHER CHARGES:

8. From on or about June 7, 2011, to on or about August 9, 2011, in the Middle District of Pennsylvania and elsewhere, the defendant,

JOSEPH R. GALLARDO,

knowingly executed and attempted to execute a scheme and artifice to defraud Quicken Loans®, a mortgage lending business which financed and refinanced debt secured by an interest in real estate, and to obtain monies, funds, assets, and property owned by and under the care,

custody, and control of, Quicken Loans® by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

9. On or about June 7, 2011, defendant submitted and caused to be submitted a Uniform Residential Loan Application via telephone to Quicken Loans® in the name of R.G.

10. According to the Uniform Residential Loan Application, the purported purpose of the loan was to refinance R.G.'s primary residence located in Dover, New Jersey.

11. The Uniform Residential Loan Application requested \$260,000 in loan proceeds.

12. In addition, in support of the Uniform Residential Loan Application, defendant submitted to Quicken Loans® a false federal income tax return purportedly showing dividend, interest or miscellaneous income R.G. had not reported on the personal income tax return R.G. actually filed with the IRS.

13. The Uniform Residential Loan Application contained misstatements and misrepresentations as to R.G.'s financial resources

and qualifications, namely, that he received dividends/interest in the amount of \$5,200 per month.

In violation of Title 18, United States Code, Sections 1344(1), 1344(2), 20(10), and 27.

COUNT 3

BANK FRAUD

(Title 18, United States Code, Section 1344)

THE GRAND JURY FURTHER CHARGES:

14. From on or about July 11, 2012, to on or about August 12, 2012, in the Middle District of Pennsylvania and elsewhere, the defendant,

JOSEPH R. GALLARDO,

knowingly executed and attempted to execute a scheme and artifice to defraud Amerisave Mortgage Corporation, a mortgage lending business which financed and refinanced debt secured by an interest in real estate, and to obtain monies, funds, assets, and property owned by and under the care, custody, and control of, Amerisave Mortgage Corporation by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

15. On or about July 12, 2012, defendant submitted and caused to be submitted an online Uniform Residential Loan Application to Amerisave Mortgage Corporation in the name of L.F.

16. According to the Uniform Residential Loan Application, the purported purpose of the loan was for L.F. to purchase real estate at 1007 Crown Avenue, Scranton, Pennsylvania.

17. The Uniform Residential Loan Application requested \$70,400 in loan proceeds and indicated that L.F. intended to repay the loan.

18. The Uniform Residential Loan Application contained misstatements and misrepresentations as to L.F.'s intent, financial resources and qualifications, namely that L.F. received dividends/interest in the amount of \$5,000 per month, that L.F.'s current real estate was valued at \$425,000, that L.F. had \$50,000 in the bank, and that L.F. intended to purchase an investment property at 1007 Crown Avenue, Scranton, Pennsylvania.

In violation of Title 18, United States Code, Sections 1344(1), 1344(2), 20(10), and 27.

COUNT 4

BANK FRAUD

(Title 18, United States Code, Section 1344)

THE GRAND JURY FURTHER CHARGES:

19. From on or about July 11, 2012, to on or about August 12, 2012, in the Middle District of Pennsylvania and elsewhere, the defendant,

JOSEPH R. GALLARDO

knowingly executed and attempted to execute a scheme and artifice to defraud Amerisave Mortgage Corporation, a mortgage lending business which financed and refinanced debt secured by an interest in real estate, and to obtain monies, funds, assets, and property owned by and under the care, custody, and control of, Amerisave Mortgage Corporation by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

20. On or about July 11, 2012 and July 25, 2012, defendant submitted and caused to be submitted an online Uniform Residential Loan Application to Amerisave Mortgage Corporation in the name of M.A.

21. According to the Uniform Residential Loan Application, the purported purpose of the loan was for M.A. to purchase real estate at 1020 Snyder Avenue, Scranton, Pennsylvania.

22. The Uniform Residential Loan Application requested \$70,660 in loan proceeds and indicated that M.A. intended to repay the loan.

23. The Uniform Residential Loan Application and supporting schedules and documentation, contained forged signatures of M.A.

24. The Uniform Residential Loan Application contained misstatements and misrepresentations as to M.A.'s intent, financial resources and qualifications, namely M.A.'s current real estate was valued at \$425,000, that M.A. had \$50,000 in the bank, and that M.A. intended to purchase an investment property at 1020 Snyder Avenue, Scranton, Pennsylvania.

In violation of Title 18, United States Code, Sections 1344(1), 1344(2), 20(10), and 27.

COUNT 5

BANK FRAUD

(Title 18, United States Code, Section 1344)

THE GRAND JURY FURTHER CHARGES:

25. From on or about May 15, 2012, to on or about June 9, 2012, in the Middle District of Pennsylvania and elsewhere, the defendant,

JOSEPH R. GALLARDO,

knowingly executed and attempted to execute a scheme and artifice to defraud Modern Woodmen Bank, an FDIC insured financial institution and a mortgage lending business which financed and refinanced debt secured by an interest in real estate, and to obtain monies, funds, assets, and property owned by and under the care, custody, and control of, Modern Woodmen Bank by means of false and fraudulent pretenses, representations, and promises.

THE SCHEME

26. On or about May 15, 2012, defendant submitted and caused to be submitted an online Uniform Residential Loan Application to Modern Woodman Bank in the name of M.A.

27. According to the Uniform Residential Loan Application, the purported purpose of the loan was for M.A. to purchase real estate at 1007 Crown Avenue, Scranton, Pennsylvania.

28. The Uniform Residential Loan Application requested \$68,000 in loan proceeds and indicated that M.A. intended to repay the loan.

29. The Uniform Residential Loan Application contained misstatements and misrepresentations as to M.A.'s intent, financial resources and qualifications, namely M.A.'s current real estate was valued at \$375,000, that M.A. had \$12,000 in the bank, that M.A. intended to purchase a vacation home at 1007 Crown Avenue, Scranton, Pennsylvania, and that M.A had made a \$17,000 down payment on that home.

In violation of Title 18, United States Code, Sections 1344(1), 1344(2), 20(10), and 27.

A TRUE BILL

[REDACTED]
FOREPERSON, GRAND JURY

DAVID J. FREED
UNITED STATES ATTORNEY

By: Chelsea
CHELSEA B. SCHINNOUR
ASSISTANT U.S. ATTORNEY

5/2/18
DATE

By: Joseph J. Terz
JOSEPH J. TERZ
ASSISTANT U.S. ATTORNEY

5/2/18
DATE